(2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

Writ Petition No. 63 /2002

PETITIONER : M/s O.R.S. Minerals,
Through proprietor Suresh Shukla,
S/o Late Shri C.P.Shukla,
Aged about 43 years,
R/o C/1-91 Taigor Nagar,
Near R.D.A. Store,
District – Raipur(C.G.)

P. R. No. 54/02
Presented by Shri R. Dewan
dated 5.1.02

- Versus –

RESPONDENTS : 1. State of Chhattisgarh,
Through Secretary,Department
Of Mines and Minerals,
D.K.S.Builading,
Raipur.

2. Collector,
Raipur.

3. Mining Officer,
Raipur.

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Clerk to A.G. BILASPUR

WRIT PETITON UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION TO DO JUSTICE IN THE MATTER.

(S8)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 63 of सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
11.7.2002		

Shri Prashant Mishra, counsel for the petitioner.

Shri Ranbir Singh, G.A. for the State.

Heard on M.W.P.No.224/2002 for grant of stay.

In view of the limited nature of the controversy involved in the petition, on the prayer and consent of the learned counsel the petitioner is being disposed of at the admission stage is considered.

It is the case of the petitioner that though he has been granted a quarry lease for extracting the limestone and has already deposited Rs.3,000/- being the compensation assessed for one hectare of land, yet working permission has not been granted.

The record indicates that the lease is in respect of 16.127 hectares of land for which compensation has been assessed at Rs.3,000/-per hectare which works out to Rs.51,000/-. This amount admittedly has not been deposited by the petitioner.

The contention of the learned counsel that as the petitioner intends to work only over an area of one hectare, the deposit of Rs.3,000/- is sufficient, cannot be accepted. Since the quarry lease is in respect of 16.127 hectares, it follows that the

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compensation for the entire area has to be deposited. However, in case the petitioner deposits the entire amount, the question of grant of working permission shall be considered by the authorities in accordance with relevant rules governing the field. This exercise should be completed within a reasonable period and without any undue delay.

Petition is disposed of accordingly.

Certified photocopy as per rules.

Sd/-
P.C NAIK
Judge

Anjam

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